

**BARCLAY DAMON** LLP

**Michael J. Murphy**  
*Partner*

June 11, 2024

**VIA WDNIECF**

Hon. William M. Skretny  
United States District Judge for Western District of New York  
2 Niagara Square  
Buffalo, New York 14202

Re: Carter, Myles v. Burgess, O'Bryan, Krywalski et al  
Case No.: 1:21-cv-00954

Dear Judge Skretny,

Please accept the following as the parties' joint written notice concerning the status of the mediation and consent as per the Court's Text order of May 7, 2024 (Dkt. 60).


Counsel for the parties and the New York State Police participated in mediation with mediator Michael Menard on May 29, 2024. The case was not settled during that mediation session.

The parties have scheduled a second mediation session for June 28, 2024 with mediator Menard.

Mr. Menard filed his Mediation Certification on May 29, 2024 (Dkt. 61).

Counsel for the parties have conferred with their clients and among one another regarding consent to trying the case before a Magistrate Judge. The parties do not consent to try the case before a Magistrate Judge.

Respectfully yours,

DocuSigned by:  
  
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Michael J. Murphy

MJM/mko

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